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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 1695/2016**

SAHIL LAKRA & ANR

..... Petitioner

Represented by: Mr. O.P. Wadhwa, Adv.

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
SI Balwant Singh PS Mundka.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

07.09.2016

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By the present petition the petitioners seek anticipatory bail in case FIR No.250/2016 under Section 376-D/506/34 IPC registered at PS Mundka.

The allegations of the complainant in the FIR are that the petitioner No.1 who was the son of the landlord in March 2016 called her to his house where his friend was also present. They slapped her and forcibly committed rape with her. Further a video of the same was prepared by the friend of the petitioner No.1. It is alleged that after 10-15 days again she was raped by showing the video.

A status report has been filed by the State which shows that statement of the prosecutrix was recorded before the learned Metropolitan Magistrate

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under Section 164 Cr.P.C. wherein she has not supported her version recorded on the basis of which FIR was registered. In her statement under Section 164 Cr.P.C. the prosecutrix stated that she was working at the house of her landlord. At the time of illness of her son, the landlord Dinesh Lakra had invested money and since she was apprehensive that the landlord would be asking for the return of the money which she could not return fully, she implicated the sons of the landlord. She has stated that she was never sexually assaulted nor any such instance as complained in the FIR took place. She stated that she does not wish to pursue the FIR in question.

Considering the statement of the prosecutrix recorded under Section 164 Cr.P.C. and the fact that the FIR was registered belatedly, I deem it fit to grant anticipatory bail to the petitioners. It is therefore directed that in the event of arrest the petitioners be released on bail on their furnishing a personal bond in the sum of ₹25,000/- each with one surety each of the like amount subject to the satisfaction of the Arresting Officer/ SHO concerned, further subject to the condition that they will join the investigation as and when directed and will not leave the country without the prior permission of the Court concerned.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

SEPTEMBER 07, 2016
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